



Attorney's Docket No. 5051-471

Electra

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Conkling et al.
Serial No.: 09/941,042
Filed: August 28, 2001
For: *TRANSGENIC PLANTS CONTAINING MOLECULAR DECOYS THAT ALTER PROTEIN CONTENT THEREIN*

Confirmation No.: 4291
Group Art Unit: 1638
Examiner: Anne R. Kubelik

Date: May 16, 2003

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Restriction Requirement dated April 23, 2003, set forth therein, Applicant hereby elects the claims of Group I, with traverse, (Claims 1-32, drawn to a nucleic acid that is response to a Nic gene product, plant cells comprising the nucleic acid, a method of using it to making transformed tobacco plants, and tobacco plants and plant parts so produced, classified in class 800, subclass 298) for substantive examination.

Reconsideration of the restriction requirement as to Groups II through IV is respectfully requested. It is respectfully submitted that a search of these groups would overlap with a search of Group I, hence grouping these claims together would not present an undue burden to the USPTO. Therefore, applicants respectfully request that the Examiner reconsider the restriction requirement.

It is respectfully submitted that this application is in condition for substantive examination, which action is respectfully requested.

Respectfully submitted,

Jarett K. Abramson
Registration No. 47,376



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PATENT & TRADEMARK OFFICE

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Thereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 16, 2003.

Clara R. Beard